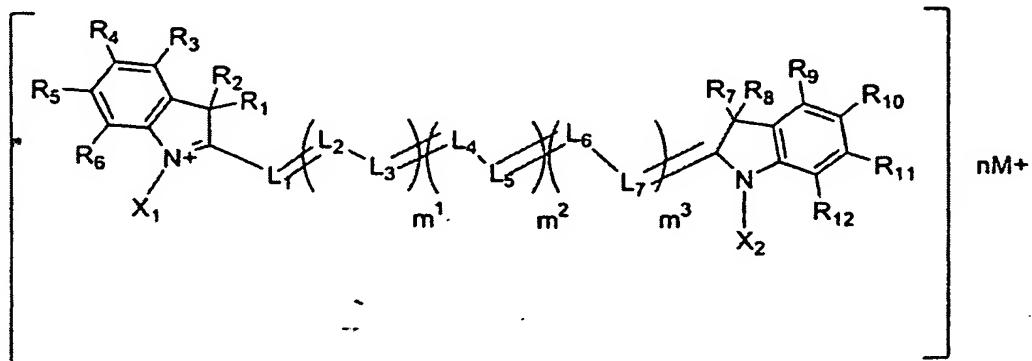


This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Original) A near infrared fluorescent contrast agent comprising a compound represented by the following formula [I] or a pharmaceutically acceptable salt thereof:

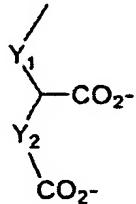


wherein  $R^1$ ,  $R^2$ ,  $R^7$ , and  $R^8$  independently represent a substituted or unsubstituted  $C_1$ - $C_{10}$  alkyl group or a substituted or unsubstituted aryl group, and  $R^1$  and  $R^2$  and/or  $R^7$  and  $R^8$  may bind to each other to form a ring;  $R^3$ ,  $R^4$ ,  $R^5$ ,  $R^6$ ,  $R^9$ ,  $R^{10}$ ,  $R^{11}$  and  $R^{12}$  independently represent a hydrogen atom, a substituted or unsubstituted  $C_1$ - $C_6$  alkyl group, a substituted or unsubstituted aryl group, a substituted or unsubstituted heteroaryl group, a halogen atom, cyano group, carboxyl group, or sulfo group, and  $R^3$ ,  $R^4$ ,  $R^5$ ,  $R^6$ ,  $R^9$ ,  $R^{10}$ ,  $R^{11}$ , and  $R^{12}$  may bind to each other to form a ring;  $X^1$  and  $X^2$  independently represent a substituted or unsubstituted  $C_1$ - $C_{15}$  alkyl group or a substituted or unsubstituted aryl group and  $X^1$  and  $X^2$  in total have 0 to 4 carboxyl groups, provided that when the number of the carboxyl group is 0 or 1, each of  $X^1$  and  $X^2$  is a  $C_1$ - $C_5$  carboxyalkyl group or a sulfoalkyl group and at least one of  $R^3$ ,  $R^4$ ,  $R^5$ ,  $R^6$ ,  $R^9$ ,  $R^{10}$ ,  $R^{11}$ , and  $R^{12}$  represents a substituted or unsubstituted aryl group or a substituted or unsubstituted heteroaryl group;  $m^1$  represents 0 or 1;  $m^2$  represents 0 or 1;  $m^3$  represents 0 or 1;  $L^1$ ,  $L^2$ ,  $L^3$ ,  $L^4$ ,  $L^5$ ,  $L^6$ , and  $L^7$  independently represent a substituted or unsubstituted methine group, provided that when two or more of the methine groups have substituents, the substituent may bind to each other to form a ring, provided that when each of  $X^1$  and  $X^2$  has one carboxyl group, each of  $X^1$  and  $X^2$  is carboxyl group-substituted hydrocarbon group and at least one of the methine groups represented by  $L^1$ ,  $L^2$ ,  $L^3$ ,  $L^4$ ,  $L^5$ ,  $L^6$ , and  $L^7$  is a substituted methine group and  $R^4$  and  $R^{10}$

represent a sulfo group; M represents a hydrogen atom, a metal, or a quaternary ammonium salt; and n represents an integer of 1 to 7 necessary for neutralizing charge.

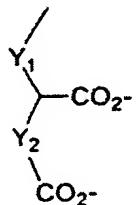
2. (Original) The near infrared fluorescent contrast agent according to claim 1, wherein each of  $m^1$ ,  $m^2$ , and  $m^3$  is 1.

3. (Currently Amended) The near infrared fluorescent contrast agent according to claim 1 or 2, wherein  $X^1$  is a group represented by the following formula (i):



wherein Y<sup>1</sup> and Y<sup>2</sup> independently represent a substituted or unsubstituted divalent linking group.

4. (Currently Amended) The near infrared fluorescent contrast agent according to claim 1 or 2, wherein X<sup>1</sup> and X<sup>2</sup> independently represent a group represented by the following formula (i):



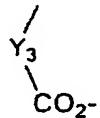
wherein Y<sup>1</sup> and Y<sup>2</sup> independently represent a substituted or unsubstituted a divalent bond.

5. (Currently Amended) The near infrared fluorescent contrast agent according to ~~any one of claims 1 to 4~~ Claim 1, wherein at least one of R<sup>3</sup>, R<sup>4</sup>, R<sup>5</sup>, R<sup>6</sup>, R<sup>9</sup>, R<sup>10</sup>, R<sup>11</sup>, and R<sup>12</sup> is a substituted or unsubstituted aryl group or a substituted or unsubstituted heteroaryl group.

6. (Currently Amended) The near infrared fluorescent contrast agent according to claim 1 or 2, wherein at least one of R<sup>4</sup>, R<sup>5</sup>, R<sup>10</sup>, and R<sup>11</sup> is a substituted or unsubstituted aryl

group or a substituted or unsubstituted heteroaryl group; and each of X<sup>1</sup> and X<sup>2</sup> is independently a C<sub>1</sub>-C<sub>5</sub> carboxyalkyl group or a sulfoalkyl group.

7. (Currently Amended) The near infrared fluorescent contrast agent according to claim 1 or 2, wherein X<sup>1</sup> and X<sup>2</sup> independently represent a group represented by the following formula:



wherein Y<sup>3</sup> represents a C<sub>1</sub>-C<sub>10</sub> hydrocarbon group and at least one of the methine groups represented by L<sup>1</sup>, L<sup>2</sup>, L<sup>3</sup>, L<sup>4</sup>, L<sup>5</sup>, L<sup>6</sup>, and L<sup>7</sup> is a substituted methine group and each of R<sup>4</sup> and R<sup>10</sup> is a sulfo group.

8. (Currently Amended) The near infrared fluorescent contrast agent according to any one of claims 3 or 4 Claim 3 wherein Y<sub>1</sub> represents -(CH<sub>2</sub>)<sub>p</sub>CONH- wherein p represents an integer of 1 to 4 and Y<sub>2</sub> represents -(CH<sub>2</sub>)- or (CH<sub>2</sub>)<sub>2</sub>-.

9. (Currently Amended) The near infrared fluorescent contrast agent according to any one of claims 1 to 8 Claim 1, which is used for tumor imaging.

10. (Currently Amended) The near infrared fluorescent contrast agent according to any one of claims 1 to 8 Claim 1, which is used for angiography.

11. (Currently Amended) A method of fluorescence imaging which comprises the steps of introducing the near infrared fluorescent contrast agent according to any one of claims 1 to 8 Claim 1 into a living body, exposing said body to an excitation light, and detecting near infrared fluorescence from the contrast agent.